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CONCORD, N.H.

Mr. Harold Cheney
Director of Purchase and Property
State House
Concord, New Hampshire

Dear Mr. Cheney:

You have inquired regarding authorization of the Water Resources Board to bond its chairman and treasurer.

It is my opinion that chapter 5, part 24, section 6 of the laws of the Special Session of 1950 prohibits bonding in the case of the chairman and treasurer of the Water Resources Board. While the Water Resources Board is, in a sense, sui generis, and has a distinct legal entity, nevertheless it is an agency of the State of New Hampshire. R. L., c. 266, s. 3; Conway v. Water Resources Board, 89 N.H. 346, 353.

If bonding of the chairman and the treasurer of the Water Resources Board is desirable as a matter of policy, it will be necessary to accomplish this beneficial result by legislation.

Very truly yours,

Gordon M. Tiffany
Attorney General

GMT/d